IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

WEDNESDAY, THE 28TH MARCH 2007 / 7TH CHAITHRA 1929

Con.Case(C).No. 491 of 2005(S)

AGAINST THE JUDGEMENT/ORDER IN WPC.36957/2004

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PETITIONER: PETITIONER:

T.V. VARGHEESE, AGED 40 YEARS,
S/O. VARGHESE, THEKKEDATH HOUSE,
KOLAYAD P.O., TELLICHERRY TALUK,
KANNUR DISTRICT.

BY ADV. SRI.K.K.CHANDRAN PILLAI

RESPONDENTS:1ST RESPONDENT:-

P.C. VIJAYA KUMAR, AGED 54 YEARS,
FATHERS NAME NOT KNOWN, MANAGING DIRECTOR,
KERALA WATER AUTHORITY, JALA BHAVAN,
THIRUVANANTHAPURAM.

BY ADV. SRI.C.UNNIKRISHNAN, SC, KWA

THIS CONTEMPT OF COURT CASE (CIVIL) HAVING BEEN FINALLY HEARD ON 28/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J.

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C.O.C.No.491 of 2005-S.

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Dated this the 28th day of March, 2007.

J U D G M E N T

This Contempt of Court Case arises on a complaint filed by the petitioner who is a candidate included in the rank list of Heavy Duty Vehicle Drivers published by the Public Service Commission. This Court directed the Kerala Water Authority to report all existing vacancies of Heavy Duty Vehicle Drivers to the Commission so that equal number of candidates can be appointed. According to the petitioner, despite the existence of vacancies, lapses were committed by the respondents in complying with the directions of this Court. Along with the reply-affidavit, the petitioner produced Ext.P2 proforma in support of his case that out of six posts sanctioned in the Mattannur Division of the Kerala Water Authority, 4 posts alone were occupied by the Drivers and 2 vacancies were available.

The respondents were directed to file affidavit explaining the above position. Accordingly, counter-affidavit dated 21-3-2007 has been filed. Counsel for the respondents brings to my notice the facts and figures stated on oath in the above affidavit. I am satisfied that the respondent has filled up 9 posts of Heavy Duty Vehicle Drivers in the Kerala Water Authority by reporting vacancies from time to time. In the above circumstances, the petitioner may not be able to make out a case against the respondent that the said respondent has disobeyed the order of this Court.

The Contempt of Court Case is closed.

K.K.DENESAN, JUDGE.

kvs/-